

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

SHANICE MATTHEWS, as guardian ad  
litem and on behalf of her son D.W.,

Plaintiff,

v.

THE STATE OF ILLINOIS, et al.,

Defendants.

No. 18-cv-6675

Hon. Joan B. Gottschall

**MOTION FOR LEAVE TO SUPPLEMENT**

Defendants move to supplement their motion to dismiss by providing this Court with notice of Crime Gun Connect, a new online crime gun tracing platform now available to Illinois law enforcement agencies. In support of this motion, defendants state as follows:

1. In their motion to dismiss, defendants detailed the State's measures to combat gun violence since plaintiffs filed this lawsuit. Dkt. 117 at 1-5. To update the Court, on June 29, 2022, Illinois Attorney General Kwame Raoul announced the release of Crime Gun Connect, an online crime gun tracing platform that will assist law enforcement agencies in investigating gun crimes, identifying the sources of illegal guns, and monitoring trends in gun trafficking. Crime Gun Connect is a searchable, digital database that contains more than 100,000 crime gun trace records dating back to 2009 from approximately 200 Illinois law enforcement agencies. The platform is available to law enforcement agencies across Illinois that are enrolled in ATF's eTrace system and that have opted into collective data sharing. Exhibit A is a press release from the Illinois Attorney General describing Crime Gun Connect.

2. In connection with defendants' motion to dismiss, this Court should take judicial notice of Crime Gun Connect and the corresponding press release, which also appears on the Attorney General's website.<sup>1</sup> See, e.g., *In re Herbal Supplements Mktg. & Sales Practices Litig.*, No. 15-cv-5070, 2017 U.S. Dist. Lexis 76207, at \*17 n.3 (N.D. Ill. May 19, 2017) (“[T]he press release is a matter of public record available on the NYAG’s website. The court may take judicial notice of it.”); see also *United States v. Dish Network, L.L.C.*, No. 09-3073, 2015 U.S. Dist. Lexis 169892, at \*10 (C.D. Ill. Dec. 7, 2015) (“[T]his Court can take judicial notices of the press releases.”) (collecting authority).

3. The release of Crime Gun Connect is relevant to defendants' motion to dismiss. Plaintiff's third amended complaint alleges the absence of a “state-wide firearms trace system” (Dkt. No. 139 at 65, 66), and her response to defendants' motion to discuss asserts that “[t]here is still no single or central gun trace data base.” Dk. No. 129 at 4; see also *id.* at 14 (stating that defendants had not created “a comprehensive data base to track crime guns”). However, Crime Gun Connect is now available to law enforcement.

4. Defense counsel sought plaintiff's position on this motion. Plaintiff's counsel indicated that plaintiff would not object to this motion only if defendants would agree, in exchange, that the Court may take judicial notice of certain newspaper articles regarding FOID enforcement. Defendants cannot agree, because facts in newspaper articles are not appropriate for judicial notice if they may be subject to dispute, and plaintiff has not identified the specific articles that she wants to cite or the propositions she wants to cite them for. Accordingly, defendants are not filing this motion as unopposed.

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<sup>1</sup> See [https://illinoisattorneygeneral.gov/pressroom/2022\\_06/20220629.html](https://illinoisattorneygeneral.gov/pressroom/2022_06/20220629.html).

WHEREFORE, defendants respectfully request that the Court take notice of Crime Gun Connect, and the corresponding Attorney General press release attached as Exhibit A, in connection with their motion to dismiss.

Dated: August 5, 2022

Respectfully submitted,

KWAME RAOUL  
Illinois Attorney General

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